

**REMARKS**

Applicants traverse the examiner's obviousness rejections of claims 1-23, 41-58, and 60-65 under 35 U.S.C. §103(a) as being unpatentable over Manning in view of Chang. The examiner's obviousness rejection is based on the argument that the primary reference (Manning) teaches the claimed invention except for the claimed Packet Control Function (PCF), but that the secondary reference (Chang) teaches a PCF and that it would be obvious to combine Chang's PCF with Manning. Respectfully, the examiner's obviousness argument is in error because Manning already includes PCF logic, although Manning does not use explicitly use the term "PCF." Chang therefore adds nothing to the teachings of Manning and it is legal error for the examiner to argue that the combination teaches the claimed invention, that the combination is obvious, or that one skilled in the art would be motivated to make the combination.

Specifically, it is well known in the art that PCFs are used to establish and release packet data connections between mobile stations and Packet Data Serving Nodes (PDSNs). Manning explicitly discloses that its base stations (BSs) communicate directly with the PDSN to establish and release packet data connections. Therefore, Manning explicitly performs PCF operations. For example, Figures 3-5 of Manning explicitly show direct communications between a BS and a PDSN for the purpose of establishing and releasing packet data connections. These operations are unequivocally the operations that Chang ascribes to its explicitly disclosed PCF. As such, it is meaningless to suggest that Chang teaches a PCF that can be added to Manning. Indeed, the examiner ignores the fact that Manning already teaches that its base stations perform PCF operations, and therefore, leaves unanswered what different or added functionality would be gained by combining Chang with Manning.

Frankly, it appears that Chang is included in the obviousness rejection merely because it explicitly mentions a PCF—the examiner refers only to a couple of paragraphs in Chang that

call out a PCF but offer no details relevant to Manning or to the claimed invention. Because Manning unquestionably illustrates PCF functionality in its base stations, the argued-for addition of Chang's PCF to Manning is superfluous. More particularly, if Manning teaches that its base stations perform PCF operations, it cannot be argued that "adding" the same functionality from Chang is in any way "obvious" to one skilled in the art, or that there would be any motivation to do so. Indeed, the examiner's proffered motivation argument ignores that Manning already illustrates and describes PCF functionality in its base stations.

In addition, the proffered motivation argument seems to misidentify the architectural teachings of Manning, Chang, and the instant invention as claimed. For example, the examiner argues that it would be obvious to add Chang's PCF to Manning:

for the purpose of allowing a packet data service network function to perform an interface function with the mobile switching center through the PCF and further for user traffic transmission purposes, the interface between the base station controller, (ANC), and the mobile switching center, (session controller), the interface between the base station controller and the PCF, and the interface between the PCF and the PDSN can be maintained.

Respectfully, the above passage contains contradictory statements that do not comport with the explicitly described operations of Manning and Chang, and is a facially deficient statement of the motivation to combine Chang with Manning.

Further, the claims rejected as obvious over Manning plus Chang—see, e.g., claim 1—call out a single PCF communicatively connected to a plurality of access network controllers (ANCs). Manning, in contrast, integrates PCF logic into the disclosed base stations, meaning that Manning teaches a one-to-one relationship between base station controllers and PCFs. Chang apparently teaches the same one-to-one relationship between base station controllers and PCFs. Thus, neither Manning nor Chang, nor any combination of them, teaches or suggests the claimed arrangement of session controllers, ANCs, and PCFs.

With the above arguments in mind, neither Manning nor Chang, alone or in combination, teach or suggest claim 1 or any of its dependent claims. As such, the §103 rejection of claim 1

fails as a matter of law. Further, claims 41 and 60 (and their dependents) include similar architectural limitations. As these limitations are not taught or suggested by Manning or Chang, or by any combination of them, the examiner's obviousness rejections of these claims fails as well.

The Examiner also rejected claim 25 as being anticipated under 35 U.S.C. §102(e) as being anticipated by Manning. Claim 25 has been amended to include the subject matter of (now cancelled) dependent claims 28 and 35. No new matter has been added. As amended, claim 25 calls out that the session controller stores both session information associated with an access terminal engaged in a communication session, and routing information indicating which of the plurality of access network controllers it is currently identified with. The processor uses this information to redirect service requests received by a first access network controller from a packet control function to a second access network controller.

The Examiner equates the MSC/VLR of Manning to the claimed session controller. However, the Manning MSC/VLR does not redirect service requests as claimed. In contrast, the MSC/VLR of Manning is merely a database. The BSs in the Manning network simply query the MSC/VLR for information regarding a previous packet data session for the mobile station, and act appropriately based on that information. Manning does not disclose that the MSC/VLR redirects service requests between the BSs. Because Manning does not teach each element of amended claim 25, Manning cannot anticipate claim 25 or any of its dependent claims under §102. Therefore, the §102 rejection fails and must be withdrawn.

Finally, Applicants have amended claims 26, 29, 33-34, and 36-37 to ensure that their dependencies are correct in view of the amendments to claim 25. In addition, Applicants have amended the preamble of claim 41, without narrowing the scope of the claim, to correct a minor typographical error not noted by the Examiner. No new matter has been added by any of the amendments.

In light of the foregoing amendments and remarks, Applicants respectfully request allowance of all pending claims.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "Stephen A. Herrera", is written over a horizontal line.

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